

Submitted March 9, 2011

Approved As of

Date March 9, 2011

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 3-2011
Wednesday, February 9, 2011**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, February 9, 2011.

PRESENT
John Tyner, Chair
Don Hadley
David Hill
Dion Trahan

Absent: Jerry Callistein
Kate Ostell

Present: Bridget Donnell Newton, Council Liaison
Susan Swift, Director of CPDS
Andrew Gunning, Assistant Director of CPDS
Marcy Waxman, Senior Assistant City Attorney
Jim Wasilak, Chief of Planning
David Levy, Chief of Long-Range Planning
Bobby Ray, Principal Planner
Deane Mellander, Zoning Administrator
Cindy Kebba, Planner III
Mayra Bayonet, Planner III
Ann Wallas, Planner III
Cas Chasten, Planner III
Robin Ziek, Planner II
Mary Fertig, Public Works Department
Rebecca Torma, Transportation
Elise Cary, Assistant City Forester
Tyler Tansing, Commission Secretary

DISCUSSION

Overview of Form Codes - for a presentation by Kim Littleton, AICP, consultant and author of the proposed Rockville Pike form code (Chapter 6 of the draft Rockville's Pike: Envision a Great Place). Mr. Littleton will review the purpose and features of the code and field questions from Commissioners.

Mr. Levy introduced the presentation.

Ms. Kebba introduced staff and the consulting team who is working on the Form Code. She also presented an overview of Form Codes.

Mr. Kim Littleton, a member of the Rockville Pike consultant team, presented the proposed Rockville Pike District Form Code, as proposed in the draft document Rockville's Pike: Envision a Great Place. Mr. Littleton discussed the Pike today, the Rockville Pike Plan, Form-based codes, and the Rockville Pike District Form Code. He produced model sites, such as Congressional Plaza; Halpine Road and Rockville Pike, and the old Ford dealer site.

Mr. Littleton discussed the three different types of Form Code, such as the Street Frontage Code, Building Type Code, and the Modified Transect, and that they are the key to where the standards are applied. He described the process of the Code and how it would function on the Pike Corridor.

Schedule for Rockville's Pike Plan - for a discussion of the calendar for public testimony and worksessions.

Ms. Kebba presented a proposed tentative Schedule for the Rockville Pike public hearings and worksessions.

The Commission and staff discussed the proposed schedule and asked whether staff is receiving input from the public. The Commission asked staff to bring back a revised schedule, which would also include additional dates for citizen input.

UPDATE

Comprehensive Master Plan - for an update on the revision process for the Master Plan.

Ms. Wallas presented an update of the Comprehensive Master Plan. She noted that both the Municipal Growth Element and Water Resources Element were adopted by the Mayor and Council on December 13, 2010. Ms. Wallas included the Adequate Public Facilities (APF) Study Committee appointed by the Planning Commission in her briefing. She noted that although a review of the APF is not formally part of the CMP Initiative, it will be used to inform the key elements of the CMP. Ms. Wallas also discussed the Montgomery County Resources of Heritage Area; Housing White Paper; Citizen Survey; U.S. Census/Demographic White Paper; The Environment and Transportation White Papers, and Public Outreach.

Ms. Wallas stated that staff will come back on April 27, 2011 for another CMP update. Ms.

Wallas noted that TRC11 is planning a series of slots on each of the City departments. She stated that CPDS is tentatively scheduled for March 2011.

Commissioner Hadley inquired about affordable housing and stated that he felt that one element of Beall's Grant II debate was suggesting to the citizenry a certain lack of policy at City level. A relatively large project was proposed to be built, which reported that there was a real concentration of affordable housing issue, and, that the scale of the project, compared to buildings around it, was inappropriate. Unfortunately this placed good public policies of affordable housing against tenants of zoning, land use, community preservation, historic preservation and traffic. Commissioner Hadley stated that he hopes that staff will include in the CMP some policies that would avoid those kinds of citizen against citizen issues.

Commissioner Hill requested that staff inform the Commission, as it becomes apparent in terms of COG's estimates versus the Census numbers, about what the reality is in those variations of numbers.

Mr. Levy alerted the Commission that the Annexation of Split Parcel Properties in Twinbrook will be coming before the Commission very soon.

RECOMMENDATION TO MAYOR AND COUNCIL

Map Amendment MAP2011-00109, Mayor and Council of Rockville - For historic designation through rezoning from R-60 to R-60 (HD) at 540 Beall Avenue.

Ms. Ziek presented the staff report.

Ms. Ziek presented a power point describing the house and its history.

Commissioner Hill inquired whether this house could be combined with the Allnutt house (541 Beall Avenue) to expand the historic district across the street. Ms. Ziek explained.

Mrs. Doniphan Howland, owner of the property presented her request.

Commissioner Trahan moved, seconded by Commissioner Hadley to recommend approval of Map Amendment MAP2011-00109 to the Mayor and Council of Rockville per staff's recommendations and findings. The motion passed on a vote of 4-0. Commissioners Callistein and Ostell were absent.

REVIEW AND ACTION

Site Plan STP2011-00066, Brightview of Rockville - For approval of a Level 2 site plan for a 90-unit assisted living facility, previously approved by Special Exception SPX2010-00381, in the R-90 Zone at 9200 Darnestown Road.

Commissioner Hadley stated that he would like to recuse himself from discussion and vote due to

legal ethics involved. Ms. Waxman explained the quorum issue.

Commissioner Hadley recused, but remained in the room for quorum purposes.

Mr. Chasten presented the staff report.

Tim Dugan, Attorney, presented the applicant's request and introduced witnesses.

Commissioner Hill asked staff that he noted that there were a number of conditions from the Board of Appeals that were not carried forward. Mr. Chasten explained.

Commissioner Hill referred to Randy Alton's letter regarding the sidewalk being built offsite and fee-in-lieu concerns. Elise Cary, Assistant City Forester, explained.

Commissioner Trahan moved, seconded by Commissioner Hill, to approve Site Plan STP2011-00066, Brightview of Rockville per staff recommendations and findings. The motion passed on a vote of 3-0. Commissioner Hadley recused himself and Commissioners Callistein and Ostell were absent.

Communications Task Force Report - for a review and discussion of the recommendations of the Communications Task Force Report related to the Development Review process.

Mr. Ray presented a review of the Communications Task Force Report related to the Development Review process. He stated that on November 15, 2010, the Communications Task Force presented a series of recommendations to the Mayor and Council regarding the development review process. As part of the staff report, staff provided a response to the recommendations that were made to the Mayor and Council and there were five specific recommendations as a result of the Communications Task Force that they all agreed could be implemented quickly and administratively through the City's Development Review Manual. Mr. Ray listed the five recommendations and stated that these items were presented to the Mayor and Council on January 24, 2011. Staff was also asked to incorporate some language into the manual to reference the fact that the public is invited to attend Development Review Committee meetings. Staff has updated the Development Review manual to incorporate those changes and staff is planning on meeting with representatives of the development community to discussed the revised process. Mr. Ray further discussed the process and a schedule for meeting dates with the Mayor and Council and the Planning Commission regarding the Development Review process.

Mr. Ray also discussed other issues that came out of the Communications Task Force that need further study and direction from the City Attorney's Office.

The Commission and staff discussed the issues.

COMMISSION ITEMS

Chief of Planning Report

Mr. Wasilak presented an update of the agenda for the next Commission meeting.

APFO Committee update

Mr. Wasilak presented an update of APFO Committee meetings. He stated that the Committee has not selected a chair. He also discussed the meeting schedule.

White Flint/Shady Grove/Great Seneca Science Corridor updates

Mr. Wasilak presented updates on the White Flint/Shady Grove/Great Seneca Science Corridor.

Old Business

The Commission discussed how they would like to have their briefing packages sent to them.

Chair's Commission items for 2011

Commissioner Tyner stated that the issues he would like to discuss can wait until the next meeting when all Commissioners are present.

New Business

Ms. Swift stated that last year the City conducted an online survey of all the Board and Commission members regarding staff performance and presentations. She said that the City would like to conduct another survey in the next few weeks.

Minutes

Commissioner Hill moved, seconded by Commissioner Hadley to approve the minutes of Meeting No. 3-2011 as submitted. The motion passed on a vote of 4-0. Commissioners Callistein and Ostell were absent.

FYI Correspondence

No FYI

ADJOURN

There being no further business to come before the Commission, the Chair adjourned the meeting at 10:32 p.m.

Respectfully Submitted,

Tyler Tansing, Commission Secretary